

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAVID DEWBERRY,

Plaintiff,

v.

CITY OF DETROIT STREET  
MAINTENANCE,

Defendant.

Case No. 05-72805

Honorable Nancy G. Edmunds

**ORDER ACCEPTING AND ADOPTING MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION [13]**

This matter came before the Court on Magistrate Judge Steven D. Pepe's Report and Recommendation dated January 17, 2006. Neither Plaintiff nor Defendant has filed objections. Being fully advised in the premises and having reviewed the pleadings, the Court finds that the Magistrate Judge reached the correct conclusions. Accordingly, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation of January 17, 2006 [13]. The Court further GRANTS Defendant's Motion for Judgment on the Pleadings [8].

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: February 7, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 7, 2006, by electronic and/or ordinary mail.

s/Carol A. Hemeyer  
Case Manager